

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-4, 6-14, 16-23, 25-31, 33-40, 42-45, 47-50, 52-55, 57, 59-61, 63-65, 67-69, 71-73, 75-76, 78-79, and 81-85 are pending. Claims 1-4, 6-14, 16-23, 25-31, 33-40, 42-45, 47-50, 52-55, 57, 59-61, 63-65, 67-69, 71-73, 75-76, 78-79, and 81-85 have been rejected.

Claims 1, 9, 11, 18, 20, 26, 28, 35, 37, 42, 47, 52, 57, 61, 65, 69, 73, 76, 79, 82, and 85 have been amended. No claims have been canceled. Claims 86-89 have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

The Examiner rejected claims 1-4, 6-14, 16-23, 25-31, 33-40, 42-45, 47-50, 52-55, 57, 59-61, 63-65, 67-69, 71-73, 75-76, 78-79, and 81-85 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,628,303B1 to Foreman et al. ("Foreman") in view of U.S. Patent No. 6,724,918 B1 to Yen et al. ("Yen") and further in view of U.S. Patent No. 6,100,925 to Rosser et al. ("Rosser").

Amended claim 1 includes presenting on the first interface on the display at least one enabled edit control element, which directly causes editing of the time based stream of information, the presenting of the at least one enabled edit element being performed concurrently while presenting the capture information from the time based stream of information that is concurrently being imported into the system on the first interface.

The Examiner acknowledged that “Foreman does not ...teach that the capturing and editing the information (while the time based stream of information is imported into the system on the first interface) on a same display/screen.” (Office Action, p. 4, 01/10/08).

The Examiner, however, stated the following:

Foreman teaches... presenting on the first interface on the display ... at least one enabled edit element, which is to control editing of the time based stream of information... .
(Office Action, p.p.3-4, 01/10/08) (emphasis added)

More specifically, the Examiner stated that

the system [of Foreman] will be importing the video information with the time line...at the same time the user can switch to the editing mode, which means the edit mode is enable, as shown in Figs. 8-11 (Foreman, capture mode, e.g., col. 2, lines 45-67, col. 9, lines 23-35, 51-56; switching to different windows and sub-windows, and figs. 8-12)... .

(Office Action, p. 5, 01/10/08) (emphasis added)

Applicant respectfully disagrees.

Foreman discloses:

Alternatively selectable interfaces, each of which provide a group of planning, capturing, editing, and recording functions provide an intuitive interface for producing a video program. Other simplifications to the user interface can be provided to assist in editing, such as by maintaining the video display window at a fixed position. Additionally, video information can be captured directly into a timeline representation of a video program, rather than a bin. Using a storyboard tied to the capturing process, a user is directed through the process of collecting and capturing the video clips to be used in the video program.

(Foreman, col. 2, lines 45-67)(emphasis added)

Further, Foreman discloses:

An interface 54 providing commands for capturing motion video, i.e., bringing motion video data into the computer system, is shown in FIG. 8. The interface for capturing motion video into the computer includes a

display area 120, which displays motion video information currently being received by the computer as an input. For example, a user may be playing back a videotape on a camcorder connected as an input device through a video capture board to the computer system. If no video is available, the display area 120 can convey an instruction to connect a video source to the computer. A control 122 controls recording of the received motion video information.

(Foreman, col. 9, lines 23-35)(emphasis added)

In particular, Foreman discloses the following:

A storyboard region is also displayed at 134 [on the interface 54 for capturing motion video] to indicate the plan of shots for the selected video program for which data is being captured. A timeline 136 is displayed [on the interface 54 for capturing motion video] which corresponds to the storyboard region 134. The storyboard region 134 includes, for each shot, its title 138, an indication 140 of whether or not the video data for the shot has been captured (determined using the reference field 100, FIG. 6), and an indication 142 of the title of the video program.

(Foreman, col. 9, lines 51-56)(emphasis added)

Thus, Foreman discloses alternative interfaces for capturing video or for editing the video. More specifically, Foreman discloses displaying the interface for capturing video that consists of the storyboard region and the time line that are associated with the capturing of the information. In particular, Foreman discloses displaying tabs (“Bring Video In”, “Edit Movie”, etc. in Figures 8-12) that control switching from one interface to another interface.

Hence, Foreman discloses displaying the interface that consists of the capture information, the elements (time line, storyboard) associated with the capture information, and the tab that causes switching from one interface to another interface. In contrast, amended claim 1 refers to presenting on the first interface on the display at least one enabled edit element, which directly causes editing of the time based stream of information, concurrently while presenting the capture information from the time based

stream of information that is concurrently being imported into the system on the first interface.

Yen, in contrast, discloses indexing, accessing, and retrieving audio/video with concurrent sketch activity. More specifically, Yen discloses:

To recognize later on the correlation of audio, video and sketching activities, the system assigns the time stamps Tst11-1N during the creation and/or editing mode simultaneously to the sketching activities and to the captured audio and video. Audio and video are continuously captured during the creation and/or editing mode. The audio signals A10-N are typically interrupted by silence periods AS. The audio signals A10-N represent preferably verbal information provided by the clients. Silence periods AS typically separate blocks of coherent verbal information.
(Yen, col. 9, lines 55-65)(emphasis added)

Thus, Yen merely discloses capturing the video/audio during the creation and/or editing mode. Accordingly, Yen also fails to disclose presenting on the first interface on the display at least one enabled edit element, which directly causes editing of the time based stream of information, concurrently while presenting the capture information from the time based stream of information that is concurrently being imported into the system on the first interface, as recited in amended claim 1.

Rosser, in contrast, discloses image insertion in video streams using a combination of physical sensors and pattern recognition. Rosser does not teach or suggest presenting on the first interface on the display at least one enabled edit element, which directly causes editing of the time based stream of information, concurrently while presenting the capture information from the time based stream of information that is concurrently being imported into the system on the first interface, as recited in amended claim 1. Rather, Rosser is concerned only with displaying the live video broadcast on a television set (col. 15, lines 21-29). Rosser does not expect a TV viewer to edit live

video on the conventional TV set while watching, for example, a sport event, or a movie. There is no suggestion in Rosser to display at least one enabled edit element, which directly causes editing of the video information, as recited in amended claim 1, on the television set.

It is respectfully submitted that Foreman does not teach or suggest a combination with Rosser, Rosser does not teach or suggest a combination with Foreman and Yen, and Yen does not teach or suggest a combination with Foreman and Rosser. It would be impermissible hindsight, based on applicant's own disclosure, to combine Foreman, Yen, and Rosser.

Furthermore, even if the image insertion in video streams of Rosser and the sketch activity of Yen were incorporated into the graphical user interface of Foreman, such a combination would still lack such a combination would still lack presenting on the first interface on the display at least one enabled edit element, which directly causes editing of the time based stream of information, concurrently while presenting the capture information from the time based stream of information that is concurrently being imported into the system on the first interface, as recited in amended claim 1.

Therefore, applicant respectfully submits that amended claim 1 is not obvious under 35 U.S.C. § 103(a) over Foreman in view of Yen, and further in view of Rosser.

Given that claims 2-4, 6-14, 16-23, 25-31, 33-36, and 73-85 contain the limitations that are substantially similar to those discussed with respect to amended claim 1, applicant respectfully submits that claims 2-4, 6-14, 16-23, 25-31, 33-36, and 73-85 are not obvious under 35 U.S.C. § 103(a) over Foreman in view of Rosser.

Amended claim 37 includes automatically presenting capture information from the time based stream of information on a display in response to the detecting while the capture information is acquired from the information source in a capture mode, the capture mode to import the time based stream of information into the system, wherein the capture information is displayed at a first rate that is substantially the same as the transfer rate at which the time based stream of information arrives from the information source by an automatic interrupt procedure that includes copying the time based information that arrives from the information source to a proxy, wherein the interrupt procedure repeats at a second rate that is not less than the transfer rate 30 frames per second at which the time based stream of information arrives from the information source.

Foreman discloses “By selecting the record button 124, motion video information being displayed in region 120 is captured into a data file until the stop button 126 is selected.”(col. 9, lines 35-38), and fails to disclose, teach, or suggest displaying the capture information at a first rate that is substantially the same as the transfer rate at which the time based stream of information arrives from the information source by an automatic interrupt procedure that includes copying the time based information that arrives from the information source to a proxy, wherein the interrupt procedure repeats at a second rate that is not less than the transfer rate 30 frames per second at which the time based stream of information arrives from the information source, as recited in amended claim 37.

Yen, in contrast, discloses indexing, accessing, and retrieving audio/video with concurrent sketch activity, and similarly to Foreman, fails to disclose such limitations of amended claim 37.

Rosser, in contrast, teaches image insertion into live video streams, and also fails to disclose the discussed limitations of amended claim 37.

It is respectfully submitted that Foreman does not teach or suggest a combination with Rosser, Rosser does not teach or suggest a combination with Foreman and Yen, and Yen does not teach or suggest a combination with Foreman and Rosser. It would be impermissible hindsight, based on applicant's own disclosure, to combine Foreman, Yen, and Rosser.

Moreover, even if the image insertion in video streams of Rosser and the sketch activity of Yen were incorporated into the graphical user interface of Foreman, such a combination would still lack displaying the capture information at a first rate that is substantially the same as the transfer rate at which the time based stream of information arrives from the information source by an automatic interrupt procedure that includes copying the time based information that arrives from the information source to a proxy, wherein the interrupt procedure repeats at a second rate that is not less than the transfer rate 30 frames per second at which the time based stream of information arrives from the information source, as recited in amended claim 37.

Therefore, applicant respectfully submits that amended claim 37 is not obvious under 35 U.S.C. § 103(a) over Foreman in view of Yen, and further in view of Rosser.

Given that claims 38-45, 47-50, 52-55, and 57-72 contain related limitations, applicant respectfully submits that claims 38-45, 47-50, 52-55, and 57-72 are not obvious under 35 U.S.C. § 103(a) over Foreman in view of Yen, and further in view of Rosser.

With respect to new claim 86, it is respectfully submitted that none of the references cited by the Examiner disclose, teach, or suggest receiving an input on the at least one enabled edit element to perform editing of the time based stream of information, wherein the receiving of the input is performed concurrently while presenting the capture information from the time based stream of information that is being concurrently imported into the system on the first interface, as recited in new claim 86.

Given that new claims 87-89 contain the limitations that are similar to those discussed with respect to new claim 86, applicant respectfully submits none of the references cited by the Examiner discuss the limitations as recited in new claims 87-89.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 022666.

Respectfully submitted,

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